

Amendment No. 1 to SB3205**Graves
Signature of Sponsor****AMEND Senate Bill No. 3205*****House Bill No. 3246**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding a new section thereto, as follows:

Section 71-5-199.

(a) The director of program integrity shall report annually to the senate general welfare, health and human resources committee and the house health and human resources committee on enrollee fraud and other misconduct by enrollees in the medical assistance program under this chapter and all sanctions available. Such report shall include information on the number of enrollee fraud cases and the status of such cases. A written report shall be delivered by March 1 of each year.

(b) The director of the Tennessee bureau of investigation shall report annually to the senate general welfare, health and human resources committee and the house health and human resources committee on provider fraud and other misconduct by providers participating in the medical assistance program under this chapter and all sanctions available. Such report shall include information on the number of Medicaid or TennCare fraud cases and the status of such cases. A written report shall be delivered by March 1 of each year. This report is in addition to the report required by Section 71-5-118(j).

SECTION 2. Tennessee Code Annotated, Section 71-5-118(g), is amended by deleting the subsection in its entirety and by substituting instead the following:

(g) The program integrity unit of the bureau of TennCare, when conducting any investigation relating to a TennCare enrollee/recipient, shall have the power to issue subpoenas, and compel the attendance of witnesses and the production of books, accounts, papers, records, documents and testimony relating to such investigation. The

director of the unit may also call on the attorney general and reporter, any appropriate district attorney general and the Tennessee bureau of investigation for appropriate assistance in its investigations.

SECTION 3. Tennessee Code Annotated, Section 71-5-118(d), is amended by deleting the subsection in its entirety and by substituting instead the following:

(d) Nothing in this section shall be construed as prohibiting a person or entity violating the provisions of this section from being prosecuted for theft of property or services under title 39, chapter 14, or for offenses against the administration of government under title 39, chapter 16.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it